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55 GRIFFIN ROAD SOUTH			ART UNIT	
BLOOMFIELD, CT 06002			PAPER NUMBER	

2636
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,057

Applicant(s)

BUCKINGHAM ET AL.

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-27,31,34,35 and 37-102 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31,34,35 and 37-102 is/are rejected.
- 7) ☒ Claim(s) 19-27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Objections

1. Claims 20 & 22-27 are objected to because of the following informalities:

Claim 20 could be depended to claim 102 but NOT on claim 103. There is NO claim 103 in the application.

Appropriate correction is required.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 31, 78-91, 94, 96-97 & 99-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,236,303).

Regarding claim 78, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel, the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

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- a switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];
- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

Wagner does not mention the indicating assembly including a first switch actuated from outside of the room.

However, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Wagner includes any well known switch for selecting a message and indicating an occupancy condition of a room to a visitor.

Regarding claim 31, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant and the switch may comprises an electronic thermostat as desired [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

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Regarding claim 79, Wagner does not disclose the system includes a discrete display and discrete switch as claimed by the applicant but the system still provides the same function as desired as the indicating assembly (30) comprises a display (22,24) and the switch (10,12) for indicating / determining a condition of the room is available for occupancy / "ready for occupancy" / a room is clean, the switch mounted outside of the hotel room [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 12].

Regarding claim 80, Wagner discloses the switch assembly (10,12) is mounted to an interior wall of the room [figs.1, 3, col.2, lines 23-31 and col.3, lines 34-37].

Regarding claim 81, Wagner discloses the indicating assembly (30) is mounted within the interior of a hotel [figs.2-3, col.2, lines 14-21].

Regarding claim 82, Wagner does not disclose the system includes a second switch as claimed by the applicant but the system still provides the same function as desired as the switch assembly (10,12) includes a switchable between a first "off" position, a first "on" position representing the message that the occupant does not wish to be disturbed, and a second 'on' position representing the message that the occupant wishes to have hotel housekeeping staff make up the hotel room [col.2, lines 46-50].

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Regarding claim 83, Wagner discloses the switch assembly (10,12) includes a switchable to a position indicating messages that the room is available for occupancy / "ready for occupancy" [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 3].

Regarding claim 84, Wagner discloses the switch assembly (10,12) provides a textual or symbolic representation of the message associated with each of these switch positions [fig.3, col.2, lines 50-53 and col.3, lines 53-62].

Regarding claim 85, Wagner discloses the message comprises a plurality of message indicators includes red (32), green (34) lights [col.2, lines 54-60 and col.3, lines 18-29].

Regarding claim 86, Wagner discloses the switch assembly (12) includes the one and the another of message indicators for clearly indicating a message selected by the occupant [col.2, lines 54-60].

Regarding claim 87, Wagner discloses the indicating assembly (30) provides a textual or symbolic representation of the message associated with each of the message indicators [fig.3, col.2, lines 50-53 and col.3, lines 58-67].

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Regarding claim 88, Wagner discloses the system may be electrically connected and the system may power by the batteries (50) or wired into the hotel's electrical system [col.2, lines 43-45 and col.4, lines 13-16].

Regarding claim 89, Wagner discloses the multiple room building comprises a hotel and the occupant is a hotel guest [fig.3, col.2, lines 32-42 , col.3, lines 19-23 and abstract].

Regarding claim 90, Wagner discloses the indicating assembly (30) may be actuated remotely [fig.3, col.2, lines 61-63 , col.5, lines 4-12 and abstract].

Regarding claim 91, Wagner discloses the system comprising a microprocessor (52) in operable communication with the switch assembly [col.5, lines 21-25].

Regarding claim 94, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Regarding claims 96-97, Wagner discloses the microprocessor (52) is operably connected with the switch assembly (30) and in a centrally controlled system for monitoring security features [col.5, lines 21-56].

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Regarding claim 99, Wagner discloses the message selected by the switch assembly (12) is convey to a location remote [fig.3, col.2, lines 58-60 , col.5, lines 4-12 and abstract].

Regarding claim 100, Wagner discloses the indicating assembly (30) may be actuated remotely [fig.3, col.2, lines 61-63 , col.5, lines 4-12 and abstract].

4. Claims 37-56 & 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,236,303) in view of Gatti (U.S. 6,107,928).

Regarding claim 37, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a interface assembly / switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];
- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

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Wagner does not specifically disclose the indicating assembly including a first switch actuated from outside of the room for displaying outside of the room and actuating a minibar access condition when a minibar door switch detects an open minibar door indicative of minibar access as claimed by the applicant.

However, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Wagner includes any well known switch for selecting a message and indicating an occupancy condition of a room to a visitor.

Furthermore, Gatti teaches a technique of using a device (1,100) for monitoring of the door (45) of minibar / refrigerator (40,400) / sensing the presence or absence of objects (10) in a storage compartment as the minibar within in hotels [figs.1,4,6, col.1, lines 9-22 , col.3, lines 41-49 , col.5, lines 27-36 and col.6, lines 8-27].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Gatti in the system of Wagner for monitoring the actuating a minibar access condition when a minibar door switch detects an open minibar door indicative of minibar access which is useful in storage equipment, particularly in hotels.

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Regarding claim 38, Wagner does not disclose the system includes a discrete display and discrete switch as claimed by the applicant but the system still provides the same function as desired as the indicating assembly (30) comprises a display (22,24) and the switch (10,12) for indicating / determining a condition of the room is available for occupancy / "ready for occupancy" / a room is clean, the switch mounted outside of the hotel room [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 12] and the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Regarding claim 39, Wagner discloses the switch assembly (10,12) is mounted to an interior wall of the room [figs.1, 3, col.2, lines 23-31 and col.3, lines 34-37].

Regarding claim 40, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];
- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the

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message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

Regarding claim 41, Wagner discloses the indicating assembly (30) is mounted within the interior of a hotel [figs.2-3, col.2, lines 14-21].

Regarding claim 42, Wagner does not disclose the system includes a second switch as claimed by the applicant but the system still provides the same function as desired as the switch assembly (10,12) includes a switchable between a first "off" position, a first "on" position representing the message that the occupant does not wish to be disturbed, and a second 'on' position representing the message that the occupant wishes to have hotel housekeeping staff make up the hotel room [col.2, lines 46-50].

Regarding claim 43, Wagner discloses the switch assembly (10,12) includes a switchable to a position indicating messages that the room is available for occupancy / "ready for occupancy" [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 3].

Regarding claim 44, Wagner discloses the switch assembly (10,12) provides a textual or symbolic representation of the message associated with each of these switch positions [fig.3, col.2, lines 50-53 and col.3, lines 53-62].

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Regarding claim 45, Wagner discloses the message comprises a plurality of message indicators includes red (32), green (34) lights [col.2, lines 54-60 and col.3, lines 18-29].

Regarding claim 46, Wagner discloses the switch assembly (12) includes the one and the another of message indicators for clearly indicating a message selected by the occupant [col.2, lines 54-60].

Regarding claim 47, Wagner discloses the indicating assembly (30) provides a textual or symbolic representation of the message associated with each of the message indicators [fig.3, col.2, lines 50-53 and col.3, lines 58-67].

Regarding claim 48, Wagner discloses the system may be electrically connected and the system may power by the batteries (50) or wired into the hotel's electrical system [col.2, lines 43-45 and col.4, lines 13-16].

Regarding claim 49, Wagner discloses the multiple room building comprises a hotel and the occupant is a hotel guest [fig.3, col.2, lines 32-42 , col.3, lines 19-23 and abstract].

Regarding claim 50, Wagner discloses the indicating assembly (30) may be actuated remotely [fig.3, col.2, lines 61-63 , col.5, lines 4-12 and abstract].

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Regarding claim 51, Wagner discloses the system comprising a microprocessor (52) in operable communication with the switch assembly [col.5, lines 21-25].

Regarding claim 52, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Regarding claims 53-54, Wagner discloses the microprocessor (52) is operably connected with the switch assembly (30) and in a centrally controlled system for monitoring security features [col.5, lines 21-56].

Regarding claim 55, Wagner discloses the microprocessor (52) is operably connected with an external device for monitoring security features such as intrusion / theft by activated the proximity switch or motion sensor [col.5, lines 21-56];

- the system for indicating an occupancy condition of a room further includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor . The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor . When the door switch or the motion sensor is activated, the microprocessor will

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set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel [col.5, lines 25-64] and

Gatti discloses the communication network system can be used by telephone network or radio network for data transmission [col.3, lines 34-49].

Regarding claim 56, Gatti discloses the minibar access condition is also conveyed to a location remote as a hotel's management (69) or computer system (68) [fig.6, col.1, lines 8-12 and col.6, lines 8-27].

Regarding claim 95, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a interface assembly / switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];

Wagner does not specifically disclose a condition of minibar access as claimed by the applicant .

Gatti teaches a technique of using a device (1,100) for monitoring of the door (45) of minibar / refrigerator (40,400) / sensing the presence or absence of objects (10) in a storage

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compartment as the minibar within in hotels [figs.1,4,6, col.1, lines 9-22 , col.3, lines 41-49 , col.5, lines 27-36 and col.6, lines 8-27].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Gatti in the system of Wagner for monitoring the actuating a minibar access condition when a minibar door switch detects an open minibar door indicative of minibar access which is useful in storage equipment, particularly in hotels.

5. Claims 57-77, 98 & 102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,236,303) in view of Bruno (U.S. 5,428,345).

Regarding claim 57, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to a visitor or occupant [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a interface assembly / switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];
- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the

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message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

Wagner does not specifically disclose a door switch detecting a closed state and passive infra-red device is used for detecting a motion as claimed by the applicant.

However, Wagner clearly discloses the system for indicating an occupancy condition of a room further includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor. The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor. When the door switch or the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel [col.5, lines 25-64].

Furthermore, Bruno teaches a security system (10) includes a passive infra-red device (12) is used for detecting a motion when a persons are not expected to enter room (16), a region unoccupied signal is optional activated by closing switch (96) and is sent over line (98) to control panel (34), then an alarm (30) is activated [figs.1-2, col.3, lines 35-52 and col.7, lines 36-45].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Bruno in the system of Wagner for monitoring a closed state of the entry door and detecting any unauthorized person has enter the occupant room & indicating an occupancy condition of a room to a visitor.

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Regarding claim 58, Wagner discloses the system comprises a display (22,24) for indicating / determining a condition of the room is available for occupancy / "ready for occupancy" / a room is clean [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 12].

Regarding claim 59, Wagner discloses the switch assembly (10,12) is mounted to an interior wall of the room [figs.1, 3, col.2, lines 23-31 and col.3, lines 34-37].

Regarding claim 60, Wagner discloses the system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];
- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

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Regarding claim 61, Wagner discloses the indicating assembly (30) is mounted within the interior of a hotel [figs.2-3, col.2, lines 14-21].

Regarding claim 62, Wagner discloses the switch assembly (10,12) includes a switchable between a first "off" position, a first "on" position representing the message that the occupant does not wish to be disturbed, and a second 'on' position representing the message that the occupant wishes to have hotel housekeeping staff make up the hotel room [col.2, lines 46-50].

Regarding claim 63, Wagner discloses the switch assembly (10,12) includes a switchable to a position indicating messages that the room is available for occupancy / "ready for occupancy" [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 3].

Regarding claim 64, Wagner discloses the switch assembly (10,12) provides a textual or symbolic representation of the message associated with each of these switch positions [fig.3, col.2, lines 50-53 and col.3, lines 53-62].

Regarding claim 65, Wagner discloses the message comprises a plurality of message indicators includes red (32), green (34) lights [col.2, lines 54-60 and col.3, lines 18-29].

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Regarding claim 66, Wagner discloses the switch assembly (12) includes the one and the another of message indicators for clearly indicating a message selected by the occupant [col.2, lines 54-60].

Regarding claim 67, Wagner discloses the indicating assembly (30) provides a textual or symbolic representation of the message associated with each of the message indicators [fig.3, col.2, lines 50-53 and col.3, lines 58-67].

Regarding claim 68, Wagner discloses the system may be electrically connected and the system may power by the batteries (50) or wired into the hotel's electrical system [col.2, lines 43-45 and col.4, lines 13-16].

Regarding claim 69, Wagner discloses the multiple room building comprises a hotel and the occupant is a hotel guest [fig.3, col.2, lines 32-42 , col.3, lines 19-23 and abstract].

Regarding claim 70, Wagner discloses the indicating assembly (30) may be actuated remotely [fig.3, col.2, lines 61-63 , col.5, lines 4-12 and abstract].

Regarding claim 71, Wagner discloses the system comprising a microprocessor (52) in operable communication with the switch assembly [col.5, lines 21-25].

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Regarding claim 72, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24] also the system includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor. The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor. When the door switch or the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel without mention a jumper component because that is not a primary subject of the invention [col.5, lines 25-64].

Regarding claim 73, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24].

Regarding claims 74-75, Wagner discloses the microprocessor (52) is operably connected with the switch assembly (30) and in a centrally controlled system for monitoring security features [col.5, lines 21-56].

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Regarding claim 76, Wagner discloses the microprocessor (52) is operably connected with an external device for monitoring security features such as intrusion / theft by activated the proximity switch or motion sensor [col.5, lines 21-56].

Regarding claim 77, Wagner discloses the message selected by the switch assembly (12) is convey to a location remote [fig.3, col.2, lines 58-60 , col.5, lines 4-12 and abstract].

Regarding claim 98, Wagner does not specifically disclose the communication includes passive infra-red device in the switch assembly as claimed by the applicant.

However, Wagner clearly discloses the system for indicating an occupancy condition of a room further includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor. The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor. When the door switch or the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel [col.5, lines 25-64].

Furthermore, Bruno teaches a security system (10) includes a passive infra-red device (12) is used for detecting a motion when a persons are not expected to enter room (16), a region

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unoccupied signal is optional activated by closing switch (96) and is sent over line (98) to control panel (34), then an alarm (30) is activated [figs.1-2, col.3, lines 35-52 and col.7, lines 36-45].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Bruno in the system of Wagner for monitoring the entry door and detecting any unauthorized person has enter the occupant room & indicating an occupancy condition of a room to a visitor.

Regarding claim 102, Wagner discloses the switch assembly (10,12) includes a switchable to a position indicating messages that the room is available for occupancy / "ready for occupancy" [fig.3, col.2, lines 58-60 and col.3, line 63 to col.4, line 3].

6. Claims 34-35 & 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,236,303) in view of Winston (U.S. 3,964,058).

Regarding claim 101, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67];

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- an indicating assembly (30) in operable communication with the switch assembly, the indicating assembly configured to indicate the message when the message is selected, the message viewable from inside and outside of the room [fig.2, col.2, lines 14-21 and col.3, lines 54-67, col.6, lines 4-14].

Wagner fails to specifically mention a door chime disposed on the switch assembly, the door chime having audio annunciation upon actuation of a doorbell button from a visitor. The doorbell button in operable communication with a doorbell chime, the doorbell button operably connected with the indicating assembly and operable from outside of the room by the visitor.

Doorbell is a bell , chime or buzzer mounted outside a door that is rung to announce the present of a visitor.

Winston teaches a technique of using doorbell button (15,19) in operable communication with a doorbell chime (13) which includes a speaker / bell (13) for audio output upon actuation on the doorbell button from outside of the room by the visitor for notifying the present of a visitor or caller to the occupant of the room [figs.1-2, col.1, lines 22-44, and col.2, lines 1-58].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Winston in the system of Wagner for providing a tone signal to the occupant of the room when the doorbell button is pressed from outside of the room for announcing the present of a visitor or caller.

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Regarding claim 34, Wagner discloses the switch assembly (10,12) includes a switchable between a first "off" position, a first "on" position representing the message that the occupant does not wish to be disturbed, and a second 'on' position representing the message that the occupant wishes to have hotel housekeeping staff make up the hotel room [col.2, lines 46-50] and Winston discloses the doorbell chime (13) can be turned off by a control switch (31) [figs.1-2, col.1, lines 22-44 and col.2, lines 1-58].

Regarding claim 35, Wagner discloses the switch assembly (10,12) includes a switchable between a first "off" position, a first "on" position representing the message that the occupant does not wish to be disturbed, and a second 'on' position representing the message that the occupant wishes to have hotel housekeeping staff make up the hotel room [col.2, lines 46-50] and Wagner discloses a communication system can be connected from the occupant of the room and the remote location for communicating may include a telephone is controlled by the microprocessor (52) [col.2, lines 61-63 col.3, lines 34-44 and col.5, lines 4-25].

7. Claims 92-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner et al. (U.S. 6,236,303) in view of Gatti (U.S. 6,107,928) further in view of Bruno (U.S. 5,428,345).

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Regarding claim 92, Wagner discloses a system for indicating the status of a room in a multiple room building / hotel , the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] comprising:

- a interface assembly / switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67].

Wagner does not specifically disclose a minibar door switch and entry door switch and a passive infra-red device as claimed by the applicant .

Gatti teaches a technique of using a device (1,100) for monitoring of the door (45) of minibar / refrigerator (40,400) / sensing the presence or absence of objects (10) in a storage compartment as the minibar within in hotels [figs.1,4,6, col.1, lines 9-22 , col.3, lines 41-49 , col.5, lines 27-36 and col.6, lines 8-27].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Gatti in the system of Wagner for monitoring the actuating a minibar access condition when a minibar door switch detects an open minibar door indicative of minibar access which is useful in storage equipment, particularly in hotels.

The combination of Wagner & Gatti is still missing entry door switch and a passive infra-red device.

Furthermore, Bruno teaches a security system (10) includes a passive infra-red device (12) is used for detecting a motion when a persons are not expected to enter room (16), a region

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unoccupied signal is optional activated by closing switch (96) and is sent over line (98) to control panel (34), then an alarm (30) is activated [figs.1-2, col.3, lines 35-52 and col.7, lines 36-45].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gatti & Bruno in the system of Wagner for monitoring a closed state of the entry door and detecting any unauthorized person has enter the occupant room & indicating an occupancy condition of a room to a visitor.

Regarding claim 93, Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24] also the system includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor. The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor. When the door switch or the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel without mention a jumper component because that is not a primary subject of the invention [col.5, lines 25-64].

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Allowable Subject Matter

8. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Arguments & Responses

9. Applicant's arguments filed on Jan. 7, 2004 have been fully considered but they are not persuasive reason.

Applicant's Arguments:

a) The applicant states that the reference of Wagner fails to indicate an occupancy condition of a room.

b) The Wagner does not teach the switch detecting a closed state and passive infrared device detects motion.

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c) The Wagner does not suggest the interface assembly includes a jumper for selecting the timer.

d) The reference of Gatti does not teach a minibar door switch to detect an open minibar door.

Response to arguments:

a) Wagner discloses a system for indicating the status of a room in a multiple room building / hotel, the system configured to indicate a status (30) of the room to the visitor [figs.1-3, col.2, lines 14-21 , col.6, lines 4-15 and lines 29-38] as the interface assembly / switch assembly (10,12) configured to convey a message outside of the room / the switch assembly (12) operable from inside the room as “do not disturb” the guest inside the room, the guest does not want to contact with any one now , “ready for occupancy” means this room is available for guest or other similar symbolic messages as desired [figs.1-3, col.1, lines 47-57 , col.2, lines 23-31 and col.3, lines 31-67].

b) Bruno teaches a security system (10) includes a passive infra-red device (12) is used for detecting a motion when a persons are not expected to enter room (16), a region unoccupied

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signal is optional activated by closing switch (96) and is sent over line (98) to control panel (34), then an alarm (30) is activated [figs.1-2, col.3, lines 35-52 and col.7, lines 36-45].

c) Wagner discloses the switch (10,12) can be any type for indicating and determining the condition of occupant with blinking lights option [col.3, line 53 to col.4, line 3, col.4, lines 18-43, col.5, lines 20-55 and col.6, lines 4-24] also the system includes a security / alarm feature (56) to alert (60) a room occupant or hotel staff that an unauthorized intruder has entered the room can be sensed by a proximity switch or motion sensor. The microprocessor (52) to control the switch assembly (10,12) for detecting an intrusion / theft to enter the hotel room by a motion sensor. When the door switch or the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink or will display a different discreet message either via a separate light or via LCD panel without mention a jumper component because that is not a primary subject of the invention [col.5, lines 25-64].

d) Gatti clearly suggests a device (1,100) for **monitoring of the door (45) of minibar /** refrigerator (40,400) / sensing the presence or absence of objects (10) in a storage compartment as the minibar within in hotels [figs.1,4,6, col.3, lines 41-49 , col.5, lines 27-36 and col.6, lines 8-27].

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Conclusion

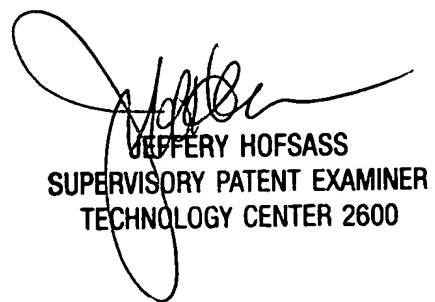
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (703) 308-6796. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (703) 305-4717. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Examiner: Hung T. Nguyen

Date: Feb. 22, 2004



JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
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